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April 8, 2015

Hon. William F. Kuntz, II
Judge
United States District Court
225 Cadman Plaza East
Brooklyn, NY 11201
(served and filed via ECF)

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ APR 09 2015 ★

BROOKLYN OFFICE

Re: United States v. Joel Mitchell
12 CR 465 (WFK)

Dear Judge Kuntz:

I appeared with the defendant before Your Honor on August 20, 2012, when he entered a plea of guilty to the crimes of bank fraud and identity theft. That was the defendant's only appearance before the District Court. The plea was pursuant to a cooperation agreement with the government, contemplating testimony by the defendant in a (gang-related murder) case then pending before Judge Garaufis. That case was United States v. Hollenquest, 11 CR 303 (NGG). I am advised that Mr. Mitchell testified in that matter over a course of two days, during which his involvement in the case before Your Honor was explored at length, as was the defendant's personal history.

At this point, Judge Garaufis has already become quite familiar with my client and various sentencing factors that must be considered before a reasonable punishment can be determined for Joel Mitchell. On the other hand, Your Honor would have to learn all of these details from the pre-sentence report and the parties. In my opinion, judicial economy would be furthered by a transfer of the case.

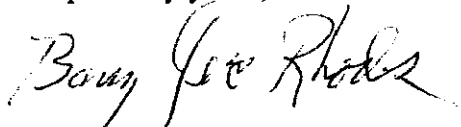
I am therefore respectfully requesting that this case be referred to Judge Garaufis for sentencing. I have discussed this with the government, and it has no objection to my request. I have no idea if Judge Garaufis would want to add the Mitchell case to his docket, as I thought it best that I first solicit Your Honor's view before making an application to His Honor. If Your Honor has no difficulty with sending the case on to Judge Garaufis, I would then ask him if His Honor wants to take it. If this Court objects to a transfer, of course, I will not bother Judge Garaufis.

The application is ☒ granted.
SO ORDERED ☐ denied.


William F. Kuntz, II, U.S.D.J.

Dated: April 9, 2015
Brooklyn, New York

Respectfully yours,



BARRY GENE RHODES

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Attorney at Law

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BGR:ck

cc.: Hon. William F. Kuntz, II
(courtesy copy by ordinary mail)
Hon. Nicolas G. Garaufis
(by ordinary mail)
AUSA Darren Laverne